

SENATOR DOUGLASS OF JEFFERSON

Spoke in favor of the amendment.

On motion of Senator Upshaw,
The amendment was tabled by the
following vote:

Yeas—21.

Abercombie	Frank
Allen	Garrison
Armistead	Jarvis
Baker	McDonald
Bell	Simkins
Burney	Stinson
Calhoun	Terrell
Camp	Upshaw
Claiborne	Woods
Douglass of G	Woodward
Field	

Nays—9.

Burgess	Houston
Davis	Knittle
Douglass of J	Lane
Glasscock	Macmanus
Gregg	

SENATOR HOUSTON

Offered the following amendment:

Provided, none but farmers shall
avail themselves of the benefits of this
act for the purpose of incorporation.

SENATOR HOUSTON

Favored, and

SENATOR STINSON

Opposed the amendment

The amendment was lost by the fol-
lowing vote.

Yeas—6

Douglass of J	Lane
Houston	Macmanus
Knittle	Woodward

Nays—24.

Abererombie	Field
Allen	Frank
Armistead	Garrison
Baker	Glasscock
Bell	Gregg
Burges	Jarvis
Burney	McDonald
Calhoun	Simkins
Camp	Stinson
Claiborne	Terrell
Davis	Upshaw
Douglass of G	Woods

SENATOR CALHOUN

Offered the following substitute for
section 2 of the bill:

Section 2. Whereas, the present in-
corporation act restricts the amount of
capital stock in the formation of cor-
poration and co-operative associations
to be organized under clause 24 of the
first section of the act hereby amended,
to an extent injurious to public inter-
est; and,

Whereas, it is of great public im-
portance and necessity that corpora-
tions and co-operative associations,
which tend to the rapid development
of the State, with greater capital
stock than is now permitted by law,
may be immediately organized; where-
fore, an emergency and an imperative
public necessity exist demanding that
the constitutional rule requiring bills
to be read on three separate days be
suspended, and that the act take ef-
fect and be in force from and after its
passage, and it is so enacted.

SENATOR BURNEY

Moved the previous question on the
amendment and the bill.

Seconded.

SENATOR HOUSTON

Moved to adjourn till 9 o'clock to-mor-
row morning.

SENATOR TERRELL

Raised the point of order that the
previous question had been moved
and seconded, and that the motion to
adjourn was not in order.

The point of order was sustained
and the main question was ordered.

The amendment was adopted and
the bill was passed to third reading.

On motion of Senator Burney,

The Senate adjourned 'till 10 o'clock
to-morrow morning.

EIGHTH DAY.

Senate Chamber, }
Austin, April 25, 1888. }

The Senate met pursuant to ad-
journment.

Lieutenant Governor Wheeler in the
chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. R. K. Smoot.

Pending the reading of the Journal, on motion of Senator McDonald, the further reading of the same was dispensed with.

On motion of Senator Davis, Senator Abercrombie was excused indefinitely, on account of sickness.

On motion of Senator Lane, Senator Houston was excused indefinitely, on account of important business.

On motion of Senator McDonald, Senator Baker was excused for tomorrow, on account of important business.

PETITIONS AND MEMORIALS.

BY SENATOR JARVIS.

Memorial of the Texas State Geological and Scientific Association asking the establishment of an efficient Geological survey.

Referred to committee on State Affairs.

BY SENATOR ARMISTEAD.

Memorial of the Texas State Geological and Scientific Association setting forth some of the reasons why a geological survey will prove beneficial to the school fund and private land owners in this State.

Referred to committee on State Affairs.

BY SENATOR BURGESS.

Memorial of the citizens of Kimball county asking a geological survey.

Referred to committee on State Affairs.

REPORTS OF STANDING COMMITTEES.

BY SENATOR JARVIS.

Committee Room, }
Austin, April 24, 1888. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your committee on Finance, to whom was referred Senate bill No. 21, entitled

An act making an appropriation for additional buildings, improvements, equipments and to provide a water supply at the Agricultural and Mechanical College, have had the same under consideration and instruct me to report

back to the Senate the accompanying bill as a substitute for the same with the recommendation that the substitute do pass

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time with committee substitute.

BY SENATOR GREGG:

Committee Room, }
Austin, April 24, 1888. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Judiciary Committee No. 1, to whom was referred Senate bill No. 15, entitled

An act to amend chapter 4 of the Revised Civil Statutes of the State of Texas, by adding thereto article 4761a, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass with the following amendments, to-wit:

Amend by adding after the word "no money collected for the State" the following, "or for the public free school fund."

And after the word, "but all State funds," the following: "And all State school tax."

All of which is respectfully submitted.

GREGG, for the committee.

Bill read first time with amendments.

BY SENATOR GLASSCOCK

Committee Room, }
Austin, April 24, 1888. }

Hon. T. B. Wheeler, Lieutenant Governor and President of the Senate:

Sir—Your committee on education to whom was referred Senate Bill No. 12, entitled:

An act to repay to the funds of the University of Texas, divers amounts of money drawn therefrom by the State of Texas for other purposes than those appertaining to the University, and to provide for the payment of interest due thereon, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment.

To strike out one hundred and fifty-four thousand one hundred and fifty-nine dollars (154,159.45) and forty-five

cents and insert in lieu thereof ninety thousand dollars.

All of which is respectfully submitted.

GLASSCOCK, Chairman.

Bill read first time with amendment.

BY SENATOR TERRELL:

Committee Room, }
Austin, April 24, 1888. }

Honorable Geo. C. Pendleton Speaker of the House.

Sir—Your judiciary committee No. 1, to whom was referred Senate bill No. 19, entitled:

An act to amend section 26, of a act entitled an act to establish and maintain a system of public free schools in the State of Texas, etc., have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

TERRELL, chairman.

Bill read first time.

BY SENATOR BELL:

Committee Room, }
Austin, April 25, 1888. }

Hon. T. B. Wheeler, President of the Senate:

Sir:—Your Judiciary Committee No. 2, to whom was referred Senate bill No. 29, entitled:

An act to give to the state the right of injunction to prevent, etc., violations of the revenue and penal laws, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

BELL, chairman.

Bill read first time.

BY SENATOR GLASSCOCK.

Committee Room, }
Austin, April 23, 1888. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your committee on Education, to whom was referred Senate bill No. 26, entitled:

An act to provide for the incorporation of towns and villages containing

400 inhabitants or more for free school purposes; to provide for the election of a Board of Trustees for such towns and villages, and to prescribe their powers and duties, have had same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

GLASSCOCK, chairman.

Bill read first time.

Committee Room, }
Austin, April 25, 1888. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your committee on Education, to whom was referred Senate bill No. 27, entitled:

An act to amend section 71, chapter 132 of an act passed at the regular session of the Twentieth legislature, approved March 2, 1887, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

All of which is respectfully submitted.

GLASSCOCK, chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR TERRELL:

Resolved, that the chairman of the joint committee on estimating cost of furnishing the new capitol and grading grounds be authorized to have the ground surveyed and cross sectioned the expenses thereof to be paid out of the contingent fund of the Senate.

SENATOR TERRELL

Explained the resolution and on motion of Senator Stinson it was adopted.

House bill No. 16

An act to amend article 566, chapter 5, title XX of the Revised Civil Statutes as amended by the Twentieth Legislature was laid before the Senate on its third reading and was read third time.

SENATOR LANE

Offered the following amendment:

Amend, by striking out all of subdivision 24, after the word ten in line six of the bill as it came from the House.

SENATORS LANE, GLASSCOCK AND DOUGLASS OF J,

spoke in favor of the amendment.

SENATORS STINSON AND CLAIBORNE opposed the amendment.

SENATOR BAKER

spoke at length against the amendment and the bill

The amendment was lost by the following vote:

Yeas—8

Douglass of J	Macmanus
Glasscock	Simkins
Knittle	Woods
Lane	Woodward

Nays—20.

Allen	Douglass of G
Armistead	Field
Baker	Frank
Bell	Garrison
Burges	Gregg
Burney	Jarvis
Calhoun	McDonald
Camp	Stinson
Claiborne	Terrell
Davis	Upshaw

SENATOR DOUGLASS OF JEFFERSON,

Offered the following amendment:

Amend by striking from line 1, subdivision 24, the words "goods, wares and merchandise and "

SENATOR DOUGLASS OF JEFFERSON.

Favored the amendment, and

SENATOR CLAIBORNE

Opposed the amendment.
On motion of

SENATOR BURNEY

The amendment was laid on the table,

The bill was passed by the following vote:

Yeas—23.

Allen	Burney
Armistead	Calhoun
Bell	Camp
Burges	Claiborne

Davis	McDonald
Douglas of G	Simkins
Field	Stinson
Frank	Terrell
Garrison	Upshaw
Glasscock	Woods
Gregg	Woodward
Jarvis	

Nays—5.

Baker	Lane
Douglass of J	Macmanus
Knittle	

SENATOR LANE

sent up the following as his reasons for voting against the bill :

I vote no, on this bill.

1st. Because I believe the effect of it will be in a few years, to place the great commercial interest of the State under the control of corporations, which will grow into gigantic monopolies, and thus become damaging to the welfare of the whole people.

2nd. Because I believe the bill is deceptive, and will not afford the relief desired by the agricultural interest of the State.

3rd. Because I believe the effect of the bill will destroy nearly all competition, effecting the price of general merchandise and of agricultural products, and leave it in the hands of monopolies to dictate prices of such articles.

JOHN LANE.

The following invitation was laid before the Senate and read.

Head Quarters John B. Hood Camp, }
Confederate Veterans, }
Austin, April 25, 1888. }

To the Honorable Senate and House of Representatives of the Twentieth Legislature.

Gentlemen:—You are cordially invited to visit the Confederate Home, at your pleasure, situated just beyond the terminus of the West Pecan street car line, where the old battle scarred veterans will welcome you.

Very respectfully,

WILL LAMBERT,
Adjutant.

R. L. WALKER,
Commander.

SENATOR WOODS

By leave sent up the following special committee reports:

Committee Room.
Austin, April 23, 1888. }

Honorable T. B. Wheeler President of the Senate:

Sir—Your special committee who were appointed to examine into the necessity of purchasing 263 acres of land referred to in Senate bill No. 6, and report the grounds of said necessity to the Senate, also ascertain how much of said land is necessary, beg leave to report as follows:

A majority of said committee request me to report that they think it advisable to purchase the (88) eighty-eight acres known as the Well's tract.

To T. B. Wheeler, President of the Senate:

The undersigned, a minority of your special committee, appointed for the purpose of reporting upon the value and necessity of purchasing certain tracts of land adjoining and for use of the lunatic asylum at Austin, aggregating 263 acres at a price aggregating \$31,040, beg leave to dissent from the opinions of the majority as they report, and, for reason, say: That there is no necessity for said land, either in point of health or economy, or other necessity, and that the price demanded is excessive, exorbitant and speculative, and, for the further reason, that an additional asylum for the insane ought to be established in a distant portion of the state, and that all the patients over and above four hundred ought to be, and no doubt will be, removed to said asylum in justice to the dictates of humanity.

CLAIBORNE,
MACMANUS,
Minority.

House bill No. 15.

An act making an appropriation to defray the contingent expenses of the first called session of the Twentieth Legislature of Texas, convened April 16, A. D., 1888, by proclamation of the governor, was laid before the Senate, and read second time, and was passed to third reading.

Senate bill No. 4.

A bill to be entitled an act to authorize the superintendent of public buildings and grounds to lease to the Farmers' Alliance of Travis County the south half of block No. 59, and the whole of the square south of said half block situated in the City of Austin, in Travis county, Texas, as appears on the map of said city, now on file in the General Land Office of

the State of Texas, was laid before the Senate, and read second time with unfavorable committee report.

SENATOR STINSON

Moved to adopt the report of the committee, and spoke in favor of the motion.

SENATORS GLASSCOCK AND BELL

opposed the motion.

The motion was withdrawn.

SENATOR GLASSCOCK

moved to recommit the bill to a special committee of three, with full authority to examine into the title to the property sought to be leased, and to report back a substitute bill in lieu of the original.

Motion adopted.

SENATORS BAKER, BURGESS AND GREGG

were appointed on the committee.

Senate bill No. 5.

An act appropriating \$68,500 for additional buildings, etc., at the State Lunatic Asylum at Austin, was laid before the Senate with committee substitute.

An act to construct additional buildings at the State Lunatic Asylum at Austin; for improvements and repairs; for the purchase of literature and pay of attendants, and to make an appropriation therefor.

Both were read second time and on motion of

SENATOR LANE

the further consideration of the bill was postponed, and it was made the special order for Monday morning, next after morning call.

Senate Bill No. 9.

An act to amend an act entitled an act to provide for the purchase of a site and the establishment, location, construction and maintenance of a State Orphan Asylum, and to make an appropriation therefor was laid before the Senate and read second time.

SENATOR GREGG

Spoke in opposition to the bill.

SENATOR ALLEN

Moved to strike out "one hundred" in line one, of section four, and insert eighty five in lieu thereof, and strike out "seventy-five" in line five of same section and insert in lieu thereof sixty.

SENATORS McDONALD AND GREGG

Spoke against the bill.

SENATORS STINSON, UPSHAW, SIMKINS
AND ALLEN

Spoke in favor of the bill.

SENATOR CLAIBORNE

Moved to amend the amendment as follows:

Instead of \$85,000 say \$50,000, instead of \$75,000 say \$40,000; \$10,000 of said \$50,000 be and is hereby set aside to purchase additional lands.

The amendments were withdrawn.

SENATOR GLASSCOCK

Moved to postpone the further consideration of the bill and make it the special order for Saturday next after morning call.

SENATOR GREGG

Moved to substitute the motion to postpone till Saturday by postponing the bill indefinitely.

The motion to postpone till Saturday was put first and adopted, and the bill went over till Saturday, and is made a special order for that day.

On motion of Senator Bell,

The constitutional rule was suspended and House bill No. 15, the contingent expense bill, was taken up and placed on its second reading by the following vote:

Yeas—28.

Allen	Garrison
Armistead	Glasscock
Baker	Gregg
Bell	Jarvis
Burges	Knittle
Burney	Lane
Calhoun	McDonald
Camp	Macmanus
Claiborne	Simkins
Davis	Stinson
Douglass of J	Terrell
Douglass of G	Upshaw
Field	Woods
Frank	Woodward

Nays—None.

The bill was read second time and was passed to third reading.

On motion of Senator Bell,

The constitution rule was suspended and the bill was placed on its third reading and final passage by the following vote:

Yeas—28.

Allen	Garrison
Armistead	Glasscock
Baker	Gregg
Bell	Jarvis
Burges	Knittle
Burney	Lane
Calhoun	McDonald
Camp	Macmanus
Claiborne	Simkins
Davis	Stinson
Douglass of J	Terrell
Douglass of G	Upshaw
Field	Woods
Frank	Woodward

Nays—None.

The bill was read third time and passed by the following vote:

Yeas—28.

Allen	Garrison
Armistead	Glasscock
Baker	Gregg
Bell	Jarvis
Burges	Knittle
Burney	Lane
Calhoun	McDonald
Camp	Macmanus
Claiborne	Simkins
Davis	Stinson
Douglass of J	Terrell
Douglass of G	Upshaw
Field	Woods
Frank	Woodward

Nays—None.

Senate bill No. 10.

The private corporation bill was laid before the Senate and read second time.

And on motion of Senator Terrell

Was laid on the table subject to call.

SENATOR STINSON

By leave sent up a bill to be entitled An act to amend Section 43a, chapter 132 of an act passed at the regular session of the Twentieth Legislature, approved April 2, 1887

Referred to committee on education.

This is an amendment to the school laws prescribing the qualifications, the duties and the manner of electing county superintendents of education.
On motion of

SENATOR STINSON

The Senate adjourned till 10 o'clock to-morrow morning.

NINTH DAY.

Senate Chamber, }
Austin, April 26, 1888. }

The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the chair.

Roll called.

Quorum present.

Prayer by the chaplain, Rev. Dr. R. K. Smoot.

Pending the reading of the Journal, On motion of Senator Terrell,

The further reading of the same was dispensed with.

SENATOR GLASSCOCK

Asked to have the Journal corrected so as to show that the special committee of three, to whom was referred, yesterday, Senate bill No. 4, were clothed with full authority to examine into the title of the property sought to be leased and to report back to the Senate a substitute bill in lieu of the original bill.

Journal corrected.

PETITIONS AND MEMORIALS.

BY SENATOR UPSHAW.

Memorial of the Texas State Geological and Scientific Association.

Referred to committee on State Affairs.

REPORTS OF STANDING COMMITTEES.

BY SENATOR JARVIS.

Committee Room, }
Austin, April 24, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your committee on Finance, to

whom was referred Senate bill No. 3, entitled

An act to appropriate the sum of \$250,000 for the support and maintenance of public free schools of the state out of the \$927,000 recently recovered by the state from the United States government, have had the same under consideration, and instruct me to report back to the Senate the accompany substitute with the recommendation that the substitute do pass.

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time with committee substitute.

Committee Room, }
Austin, April 26, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your committee on Finance, to whom was referred Senate bill No. 24, entitled:

An act to amend title 95 of the Revised Statutes by amending article 4748, as amended by the regular session of the Twentieth Legislature, 1887, on page 127 of the laws, so as to provide for a more thorough and efficient means for the collection of taxes, have had the same under consideration, and instruct me to report it same back to the Senate with recommendation that it do pass.

All of which is respectfully submitted.

JARVIS, chairman.

Bill read first time.

BY SENATOR M'DONALD.

Committee Room, }
Austin, April 26, 1888. }

Honorable T. B. Wheeler, President of the Senate:

Sir—Your judiciary committee, No. 1, to whom was referred Senate bill No. 28, entitled

An act to provide for the annual apportionment of the available public free school fund to the various counties, cities and towns which have assumed control of their schools and to the various school districts and communities in the different counties, have had the same under consideration,